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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/061,441	04/16/1998	LEO JOHN WILZ	38292R1	1675

7590

09/23/2005

JOHN H. SHERMAN, LEGAL DEPARTMENT
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EXAMINER

LY, NGHI H

ART UNIT

PAPER NUMBER

2686

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/061,441	Applicant(s) WILZ, LEO JOHN	
	Examiner Nghi H. Ly	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-24, 31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 31 and 32 is/are allowed.
- 6) ☒ Claim(s) 18-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

4

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 18, 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruckert et al (US 6,018,651) in view of Jager (US 6,067,449) and further in view of George (US 3,636,453).

Regarding claims 18 and 21, Bruckert teaches in a communications system (see Abstract), first antenna (see fig.1, antenna 114), and a first input amplifier for amplifying signals received by the first antenna (see fig.1, amplifier 135),

a second antenna (see fig.1, antenna 116) and a send input amplifier for amplifying signals received by the second antenna (see fig.1, amplifier 139),

an intermediate frequency stage (see fig1, box 141, see "IF"), and a selector (see fig.1, selector 118) disposed between the first input amplifier (see fig.1, amplifier 135) and the intermediate frequency stage (see fig1, box 141, see "IF"), and between the

Art Unit: 2686

second antenna (see fig.1, antenna 116) for selecting operation of the communications system between the first and second antennas (see fig.1, selector 118).

Bruckert does not specifically disclose an intermediate frequency stage connected to the second input amplifier, and a selector disposed between the second antenna and the second input amplifier for selecting operation of the communications system between the first and second antennas.

Jager teaches an intermediate frequency stage see fig.3, output from the mixer 308) connected to the second input amplifier (see fig.3, amplifier 306), and a selector disposed between the second antenna and the second input amplifier (see fig.3, amplifier 306) for selecting operation of the communications system between the first and second antennas (see fig.3, selector 336).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Jager into the system of Bruckert so that unnecessary switching between antennas is reduced (see Jager, column 3, lines 31-32).

The combination of Bruckert and Jager does not specifically disclose the first input amplifier includes a feedback loop for altering the operational characteristics of the first input amplifier in receiving mode.

George teaches the first input amplifier (see fig.1, amplifier 8) includes a feedback loop for altering the operational characteristics of the first input amplifier in receiving mode (fig.1, see the feedback loop with input 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of George into the system of Bruckert and Jager in order to provide an output at a relatively constant power level (see George, column 2, lines 41-43).

Regarding claims 20 and 24, the combination of Bruckert, Jager and George further teaches the feedback loop is a closed loop (see George, fig.1, see the feedback loop with input 7).

Regarding claim 22, the combination of Bruckert, Jager and George further teaches the first receiving amplifier includes a feedback loop for altering the operational characteristics of the first receiving amplifier (see George, fig.1, see the feedback loop with input 7).

Regarding claim 23, the combination of Bruckert, Jager and George further teaches the feedback loop includes a switch for selectively activating the feedback loop, to selectively change the signal processing characteristics for the incoming radio signal (see George, fig.1, see the feedback loop with input 7).

4. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bruckert et al (US 6,018,651) in view of Jager (US 6,067,449) and further in view of George (US 3,636,453) and Robinson et al (US 5,138,277).

Regarding claim 19, the combination of Bruckert, Jager and George teaches claim 18. The combination of Bruckert, Jager and George does not specifically disclose the feedback loop includes a switch for selectively activating the feedback loop.

Art Unit: 2686

Robinson teaches the feedback loop includes a switch for selectively activating the feedback loop (see the Drawing, switch 112 and see column 2, lines 50-53).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to provide the teaching of Robinson into the system of Bruckert, Jager and George in order to provide new and improved signal processing systems (see Robinson, column 1, lines 35-39).

Allowable Subject Matter

5. Claims 31 and 32 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 31 and 32 are allowed for the reasons as set forth in the previous Office action dated 02/26/2004.

Response to Arguments

6. Applicant's arguments with respect to claims 18-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

Art Unit: 2686

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly

NH Ly
09/17/05

Marsha D Banks-Harold
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